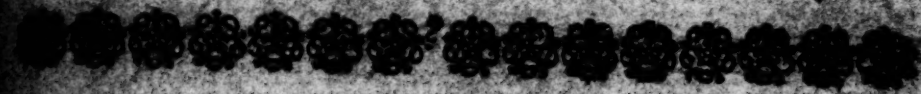
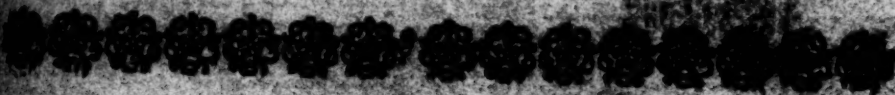


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AN
APPEAL
TO THE
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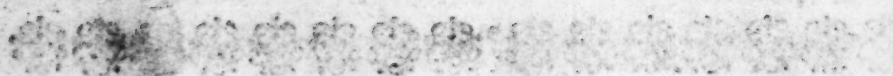
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APPENDIX

TO THE

PUBLIC, &c.



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APPEAL

TO THE

PUBLICK:

OR, A

Plain Narrative of Facts,

Relating to the Proceedings of a PARTY

OF THE

GOVERNORS

OF THE

New General-Hospital at BATH,

AGAINST

Mr. *Archibald Cleland,*

(One of the Surgeons of the said *Hospital*)

At an Extraordinary Meeting of the GOVERNORS,
held in their General Committee-Room, the 21st
of September, 1743.

Sold by A. DODD, without Temple-Bar, LONDON; and by
W. FREDERICK, Bookseller in BATH.

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AN
APPENDIX
TO THE
PUBLIC:

OR, A
Summary of Facts,
Relating to the Proceedings of a PARTY



GOVERNORS
New General-Hospital at Bath,
A CAUSE,
Mr. Nicholas Glendon,

(One of the Surgeons of the said Hospital)
At an Extraordinary Meeting of the Governors,
held in their General-Committee-Room, the 21st
of September, 1793.
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THE PREFACE.

THE Reputation and Character, which every Honest Man wishes to maintain in the World, is so dear and tender in his own Eye, and of such Consequence to his Family and Friends, that when we find ourselves openly attack'd in our good Name, or privately vilified by Slander, evil Reports, and oblique Insinuations, we cannot too publicly, or too firmly repel the Injury. Stabs given in the Dark, are not only the most dangerous, but the most painful we can receive. The Torture of these poison'd Arrows is felt, when the Hand, by which they are sent, too often remains unknown. And it is, perhaps, one of the greatest Misfortune incident to Human Nature, that the smooth and artful Methods of Back-biting and Calumny, pierce thro' Armour, that wou'd be impenetrable to open Blows, or lawful Engines of Enmity. But as Self-Defence is not only allowable, but necessary, where our Credit is undeservedly stained, and our Reputa-

The PREFACE.

tion unjustly blasted, I hope I may stand excus'd to the Publick, if I lay before them the following Narrative; and appeal to the Candour of all Impartial Judges, Whether the Sentence (pass'd upon Me by the Majority of the Governors, at their Meeting, upon the Day, and at the Place, mention'd in the Title Page) be the Effect of Justice and Equity, or only the Result of an artful Scheme, long since contriv'd, and now executed, to blemish Me in My Character, and ruin Me in My Profession?

THE Station, and Avocations of my Life have been such, as not only render me unwilling, but unfit, to appear as an Author, if the Subject requir'd Art and Decoration to set it off: But a Case of this Kind requires no Illustration. Matters of Fact demand no Ornament, but Truth: And I have so strictly adher'd to the Rules of Veracity, that I have only mention'd the Incidents, as they happen'd, without commenting or enlarging upon them; or indulging myself with the least Degree of Retaliation, for the base Treatment, and the extraordinary Persecution I have received.

I could wish indeed, in Regard to the Delicacy of the Female Sex, that an Affair of this Nature, (fit only to be discuss'd by Physicians, and Persons of my own Profession) had not appear'd in Print. But as I had no other Method of clearing myself from those Aspersions, under which I labour'd; and as I have endeavour'd, that neither any indecent, or light Expression should be made Use of in the minute Account, I have been oblig'd to send in this Manner

The PREFACE.

Manner into the World; I humbly hope I may stand acquitted of any Breach of good Manners, or Decorum, in Publishing the following Sheets. The Persons, who have oblig'd me to such a Proceeding, are answerable for every disagreeable Part that may appear in it. If they throw Dirt and Filth upon me in the Dark, or within the narrow Circle of their own Power; I must wipe it off in the Light. And therefore I appeal to the Publick, and am resolv'd to stand or fall by their Determination.

Archibald Cleland.

BATH.

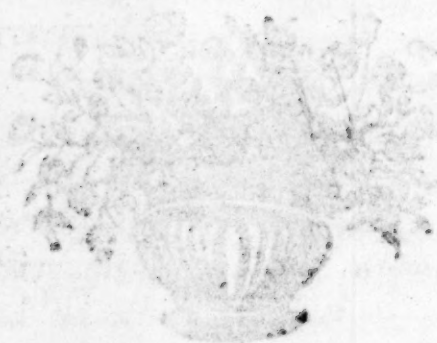
Nov. 1743.



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Archibald Cleland



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AN

APPEAL

TO THE

PUBLICK, &c.

BEFORE it was publickly known, that the GOVERNORS of the NEW GENERAL HOSPITAL intended to choose any additional Surgeons, besides Mr. *Pierce*, who was already elected, the said Mr. *Pierce* had apply'd to all the Governors in this Place, to acquaint them, That an Assistant Surgeon wou'd soon be requir'd, and had requested their Interest, in Favour of Mr. *Palmer*, late his Apprentice. The other Surgeons in Town, being inform'd of this Design, made their Application, with great Assiduity, to all the Governors, each soliciting his own Election. Mr. CLELAND was an utter Stranger to any such Intention of the Committee, 'till the Night before they met to receive Pro-

Proposals from the Surgeons, who offer'd their Service, and to issue out Orders for calling a General Court for their Election.

AT this Committee, Mr. Allen, the President, desir'd to know, *Whether Application had been made by any other Surgeons, than those who had already offer'd.*—One of the Governors said, *That if Mr. CLELAND had known what the Committee met upon, He was certain that He likewise wou'd have offer'd his Service, for the Good of the Charity.* Upon which, it was ordered, to give Mr. CLELAND leave to apply, if He desir'd it. Mr. Pierce immediately after this, (under Pretence of consulting the Good of the *Hospital*) propos'd the Making of the following Order, viz. “That no Person should be
“ admitted as Surgeon to the said *Hospital*, but such
“ only as had serv'd Seven Years Apprenticeship to
“ a Person of Reputation in his Profession.”—This was unanimously agreed to, and a Copy of the Order then made, sent to Mr. CLELAND, with the Notice, as above.

WHETHER this Proposal (from the Circumstance of its being thus timed) was not wholly calculated to preclude Mr. CLELAND's being chosen Surgeon to the *Hospital*, (Mr. Pierce not being ignorant, that He had served Five Years only, according to the general Usage of *Scotland*) I shall not take upon me to say—let the unprejudiced Reader determine.

WHEN the Election for Surgeons came on, this Order was produc'd against Mr. CLELAND, as a Person not qualified to offer Himself, as a Candidate. Whereupon the Right Hon. the Earl of
Chesterfield

Chesterfield desir'd the several Papers relating to Mr. CLELAND's Qualifications might be read: This being done; his Lordship observed, *That tho' they did not come up to the Literal Sense of their Order, yet He apprehended, they reach'd the Spirit of it.* This not being objected to by any One; Mr. CLELAND (notwithstanding the above-mention'd Order) was elected, with the other Three Surgeons, June the 24th, 1742.

The Particulars of Mr. CLELAND's Services.

MR. *Archibald Cleland* serv'd his Apprenticeship, of Five Years, (according to the Usage in Scotland) to Mr. *James Robinson*, an eminent Surgeon in *Edinburgh*.

IN 1720, He attended the Practice of *St. Thomas's Hospital* in *London*, one entire Year, as is specify'd by two Certificates.

IN 1721, He went to *Paris*, where he attended at the *Hôtel de Dieu, de La Charité*, and the *General Hospital*, the *Physick School*, and the Lectures at the *Royal Botanick Garden*; and went thro' several Courses of Anatomy, Surgery; and Midwifry, with *Du Verney*, *Doctor Winslow*, *Tibeaup*, *Gregoire*; and also a Course with *Doctor Wilbouse*, for Disorders of the Eyes.

IN 1723, Upon his Return to *London*, He was, (by Order of the South-Sea Company) examined by the Surgeons of *St. Bartholomew's Hospital*, as appears by their Certificate; and, by the said Company, appointed First Surgeon to their Annual Ship, and the Factory at *La Vera Cruz*. On his Return, He received the Publick Thanks of the Committee of Shipping, for his good Services; and a handsome Gratuity in Money; over and above his Salary.

IN 1726, He was again employ'd by the said Company, and went to *Carthage* and *Porto-Bello*, and continued at the first Place 'till the Reprizelia, when He was made Prisoner, and arriv'd at *Jamaica*, where He practis'd Surgery, and Midwifry, 'till He left that Place, and came to *England* in 1731.

IN 1733, He was (by his Majesty) appointed Surgeon to a Regiment of Horse, commanded by the Hon. *George Wade*, Esq; in which He continued 'till the Year 1741, when He quitted that Regiment, and settled at BATH.

4 *An APPEAL to the*

FROM this Time of his Election, Mr. CLELAND attended the Sick in the *Hospital*, with great Diligence and Readiness, both at the regular Times, and when call'd upon, either in the Night or Day; as is well known to every One belonging to the *Hospital*; and particularly to a Female Patient, under the Care of Dr. *Harrington*, and Mr. *Pierce*, who sent for Him often, even in the Night-Time; she having received a Hurt in Child-Bed.—His Charity in assisting this Woman, (tho' not his own Patient) was not then blamed, altho' it has since been so much clamour'd against, and made the Foundation of this unheard-of Prosecution.—However, notwithstanding his regular Attendance of the Sick, and never leaving his Patients in the *Hospital*, (when sent for elsewhere) without desiring some other Surgeon to take Care of them, during his Absence: He was frequently inform'd of several Attempts made by his Brethren, to wound his Character, and prejudice his Reputation, both in the *Hospital* and City: But (as He was always conscious of the Justness of his Intentions, and the Rectitude of his Practice) He hoped, by not taking Notice of those malicious Slanders and Reports, to have softned and subdued all their Envy.

BUT Malice (ever intent upon accomplishing its own Ends) cou'd not help perverting his innocent Intentions, and best Endeavours, to relieve the poor Patients, to a quite contrary Purport, so as even to represent them under the odious Names of Indecency and Lewdness.

ACCORDINGLY, He was told in the Publick Rooms, (the First of *September* last) by Dr. *Oliver*,
That

That some Noise had been made in the Hospital about his examining Two Women:—One of whom was a Patient belonging to Dr. Rayner, and the other to Dr. Oliver; and both to Mr. Wright, as Surgeon, The Doctor ask'd Mr. CLELAND, If he had heard any Thing of it?—Who declar'd, He had not; but said, That He had examin'd Two Women, at their own Request, who had sent to Him for that Purpose; adding, That He would meet the Doctor the next Day, at the Hospital, and satisfy Him in that Matter.—He went according to Appointment; and, in his Way, call'd upon Doctor Rayner, and told Him what He had heard from Doctor Oliver, as above: Withal, desiring Him to meet them at the Hospital, upon that Affair. Doctor Rayner seemed much surpriz'd at this Account; and declared He had heard nothing of it.

WHEN Mr. CLELAND came to the Hospital, He went into the Princesses-Ward, and called the Nurses and Patients in that Ward together, and publickly asked them all, *If ever He had done, or offer'd any Thing bad or indecent to any of them:—And they all answered, No.—Then He asked, If any of them had made any Complaints against Him to any Person?—And they all answered in the Negative.—Afterwards, directing his Discourse to Mary Hook, (one of the Informants) He asked, If she in particular, had not complain'd to Doctor Oliver and Mr. Wright?—And she declar'd she had not:—But that upon their Enquiry, whether Mr. CLELAND had examin'd her or not; she answered, He had.—Upon which Mr. CLELAND said, He hoped she had told them the Reasons for it, and that it*

was at her own Request He did it.—She reply'd, *That she did not desire Sarah Appleby to bring Him to her*:—Tho He believes that every Person in that Ward knew, that He was sent for by Her for that Purpose.

Mr. CLELAND then went into the Physicians Room, and told Doctor Oliver, Doctor Rayner, Mr. Wright, and Mr. Palmer, *That it was true He had examin'd those Women; and that it was at their own Request, and with a View to be serviceable to them.*—He, at the same Time, gave the Physicians and Surgeons his Reasons for it; and desired they would call the Nurses and Patients down before them, to hear what they had to say. But this they refused, and seemed to be satisfied with the Account They had received.

FROM this Time (*viz.* from the 2d to the 7th of September) Mr. CLELAND attended the House, as usual, and concluded the whole Affair to be over. But (as he was afterwards informed) some of the Physicians and Surgeons, together with Mr. Morris the House-Apothecary, had, during this Interval, several private Meetings in the Matron's Room; where it is apprehended the whole Scheme was concerted. Whether this was done, by perverting what Mr. CLELAND had told them, as above, or by instructing the Women, or extorting from them such Things, as they did not expect they should be obliged to swear to, must be left to the Judgment of every candid Reader.—Only let it be observed, that neither of these Informants, either before or after the Tryal, ever pretended to have made any Complaint.

AT some of these Private Meetings above-mentioned, Mr. Morris drew up Two Papers, which were afterwards produced before a Committee of the Governors, upon a Motion made to them by Mr. Bertrand; who told them, *That he had Something of the * Blackest and most Heinous Nature to lay before them, against Mr. ARCHIBALD CLELAND, one of the Surgeons to that House.*—These Papers were then produced and read; when Mr. Allen, the Mayor, (interposing the Authority of the Magistrate, and urging, that this ought to be enquired into in a judicial Manner) ordered *Mary Hook and Mary Hudson* to be called, and the above-said Papers to be read to them; at the same Time, directing the Deputy Town-Clerk, (who was sent for upon this Occasion) to make fair Copies of them. They were then sworn, without being examined to any Particulars, but only in General, to the Truth of what was therein contained; without having the Nature of an Oath explained to them, or giving Mr. CLELAND the least Notice of any Charge against Him, or Opportunity to make his Defence.—A Proceeding this, as contrary to Law, as to natural

* Let the Reader here observe, with a particular Attention, that this was the Person that first brought this Affair before the House; and endeavoured afterwards to make every One he convers'd with, look upon it in the same Light, as the Committee had done.—Upon Mr. CLELAND's asking him, *Why he represented it in such dreadful Colours*; he answered, *That it was his French Manner of expressing himself; was very sorry for what had happen'd; and offer'd (if He thought it wou'd be of any Service to him) to go out of Town, when it came on.*—Mr. CLELAND told him, *That, as he hop'd Him an Honest Man, &c. desir'd he wou'd stay, and do Justice.*

Justice

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Justice and Equity; and entirely subversive of all the Rules of Charity and Civil Society. The Committee immediately voted Him to be suspended, and the following Notice thereof to be sent to Him.

S I R,

B*Y Order of the Committee of the Governors of the General Hospital, You are suspended visiting the said Hospital, untill the next General Meeting, on Wednesday the 21st Instant, at Five o'Clock in the Afternoon; where You are desir'd to attend, to answer certain Informations given against You, upon Oath, before the Mayor.*

I am,

S I R,

Your most humble Servant,

Edward Brett, Register.

*Sept. 7, 1743,
At a Meeting
of the Committee.*

E*ARLY the next Morning, Mr. CLELAND went to the Register, and demanded Copies of the Informations sworn against Him, before the Mayor, which were refus'd him; the Register saying, It had been moved in the Committee, and denied: But that he was ordered to acquaint Him, that it was for examining Two Women, Patients in the Hospital, without being desir'd by those Women.—The Thursday*

day following Mr. CLELAND met Mr. Brett, the Register, in the Street, who then told Him, That he had got the Copies of the Affidavits sworn against Him, to deliver to Him.—Mr. CLELAND asked, Whom He was oblig'd to for them; and whether they were given, as from Mr. Brett to Mr. CLELAND, or by Order of any other Person?—To which Mr. Brett replied, That as Yesterday there was no Committee; and as it was observed by several, that it was an Hardship he should be refused the Copies sworn against Him; He was therefore ordered, by Doctor Oliver, to carry them to Him.

FROM this Time Mr. CLELAND was preparing for his Defence, and thought it might be of Service to Him to speak with some of the Patients in the Hospital: Accordingly, on the 20th, he went thither, and carried with Him Doctor Wright, and Mr. James Pitcher; and asked Mr. Jay, the Apothecary's Journeyman, If the Matron was at Home? who told Him, She was in her Room.—Mr. CLELAND went thither, and asked her, If He might go up to the Princesses-Ward, and desire the Nurses and Patients to be Witnesses of what they knew concerning this Affair; and to take down their Names, that He might call upon them, when he came before the Committee?—She told him, That she had positive Orders from the Governors, to let Nobody go up to speak to any Person there.—Upon which Mr. CLELAND bid her remember, that He had asked her, and that she had refus'd Him.—This Particular is written down, and sign'd by Alexander Wright, and James Pitcher.

10 *An APPEAL to the*

AT this Time, Doctor *Smart*, and Mr. *Treva-
nian*, (two Gentlemen from *Cheltenham*) who had
heard of so malicious a Prosecution going on against
Mr. *CLELAND*, came voluntarily over to *Bath*, to
give Evidence to the Character of *Mary Hook*, (one
of the Informants;) and as they knew all Access to
the *Hospital* was denied to Mr. *CLELAND*, and
Copies of the Informations sworn against him refus'd;
* there was the strongest Reason to apprehend,
that some indirect Methods had been made Use of,
to procure this Affidavit from her: And, in Order
to come to the Bottom of this Affair, they desired
Mary Hook's Mother to go over to *Bath*, and try,
if they could not get from her Daughter, the true
Springs and Motives of it.

As soon as old *Mary Hook* arrived in *Bath*, she
went to the *Hospital* to see her Daughter, and there
was detain'd: So that neither Doctor *Smart's* nor
Mr. *Trevanion's* Servants were permitted to see or
speak to Her. The Porter of the *Hospital* told
them, *That there were positive Orders given, that
no Person should see or speak to her, 'till the Com-
mittee broke up.*—But it appear'd plainly afterwards,
that this Detention of her, and Prohibition from
seeing any Body, was owing entirely to Mr. *Morris*,
the House-Apothecary

AN extraordinary Meeting of the Governors (to
enquire into Mr. *CLELAND's* Conduct) was held
on *Wednesday* the 21st of *September*, 1743, before
Doctor *Oliver*, one of the Physicians of the *Hospi-*

* The above two Gentlemen did not know Mr. *CLELAND*
had receiv'd Copies of the Informations, 'till they came to
BATH.

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tal, and Deputy-President, in the Chair; Doctor Harrington, and Doctor Rayner, two other Physicians to the House; Ralph Allen, Esq, Mayor of Bath; Doctor Hartley; Doctor Brewster; the Rev. Mr. Walter Chapman, Master of St. John's Hospital; the Rev. Mr. John Chapman, Chaplain to the Mayor; the Rev. Dr. Bennet Stevenson; Mr. Pierce, Surgeon; Mr. Bush, Apothecary; Mr. Grist, Apothecary; Mr. Morris, Apothecary to the Hospital; Mr. Purlwent, an Attorney and Steward to the Mayor; Mr. Bertrand; Mr. Hoare; Mr. Allen, Post-Master; Mr. Stagg; Mr. Leake; GOVERNORS.

As soon as they had taken their Places, Mr. CLELAND was called in, and ordered a Chair. * Then Dr. Oliver, the Deputy-President told Him, *That this extraordinary Committee was held, to hear what He had to say to the Two Informations sworn against Him.* Then Mr. Register was asked to produce them; which being delivered to the Chairman, he read them, and are, as in the APPENDIX, N^o 1, and N^o 2.

THEN Mr. CLELAND desired to know of the Committee, *Which of the Informations they pleased to go upon First?*—The Rev. Mr. Walter Chapman moved, *That, before they enter'd upon the Discussion of either, the Ninth Article of the General Order of the House might be read,*—

* But Mr. Bush first desired the Gentlemen to consider, *That the Affair they were going to enter upon, was of the utmost Consequence to Mr. CLELAND, and his Family; and also to the Hospital: And therefore hoped they wou'd proceed with all possible Caution and Tenderness, in a Case of so delicate a Nature.*

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which

which the Committee wou'd willingly have waved: But it being insisted upon by Mr. CLELAND, it was accordingly done, — and is, as follows:

“ THAT the House-Visitors shall enquire into the
 “ Management of the whole House, receive the
 “ Complaints of the Patients and Servants, each of
 “ which they shall examine apart, and enter an Ac-
 “ count thereof in a Book, kept for that Purpose;
 “ which Account shall be read at the next Com-
 “ mittee.”

Mr. Chapman desired then to know, *If they had, in this Case, comply'd with that Order, viz. Whether any Complaint had been made to the House-Visitors, and by them enter'd and reported?* — Mr. Allen, the Mayor, made Answer, *That this was of no Use to the present Case; for the Complaint alledg'd was sworn to, and that this Motion tended only to stifle the whole Enquiry: That indeed one Way of Information to the Committee was, by the House-Visitors; but that this did not preclude them from receiving Informations, in any other Manner which shou'd be offer'd to them: And if he, (Mr. Chapman) cou'd say nothing more to the Purpose, he had better say Nothing.*

It was further insinuated by several of the Committee, (and by Doctor Hartly in particular) *That this Motion was made with a bad Design: But in Truth, the only View propos'd by it, was to find out (if possible) from whence this Complaint Originally came; it being evident, (as was before observed) that the Women, THEMSELVES, never made any.*

THE Rev. Doctor *Stevenson*, and Mr. *Bush*, the Apothecary, (who were House-Visitors Two successive Weeks together, with Mr. *Morris*, when this Affair was first talk'd off) insisted, *That they had been guilty of no Neglect in their Duty; and affirmed, that they every Day went thro' the Wards, and enquired, as directed by the Ninth Article; and not the least Hint of any Complaint had been made by the Patients, or Nurses: But, on the Contrary, they had Daily declared, ALL WAS WELL.*

Mr. CLELAND observed to the Committee, That although They had broke thro' the Orders of the House, in this Private and Clandestine Manner of accusing and condemning Him, it wou'd appear to the Committee, that He had broke thro' none in what He did; and desired, that *Anne Hughes*, and *Elizabeth Dowdy*, Patients in the House, might be called in before Them; who could give Evidence, *That they had heard Sarah Appleby, (deceased,) several Times say, (long before Mr. CLELAND had examin'd either of these Women) that Mary Hook, and Mary Hudson, the two Informants, had teased her, to bring Mr. CLELAND to examine them, a Fortnight before she spoke to him about it: And Mr. CLELAND propos'd that they should take their Oath; but this Proposal was refused by the Mayor *.*

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Now,

* AND here let the Reader once more observe of Mr. *Bertrand*, That, notwithstanding what he had said to Mr. CLELAND, (*See Page 7*) and the Impartiality he ought consequently to have shewn in this Affair: He moved the Committee, (when these two Women were under Examination) That Mr. *Jay*, the Apothecary's Journeyman, might be called

14 ~~AN~~ APPEAL to the

Now, let the Publick Judge, whether any Hardship could be greater than that, after Mr. CLELAND was deprived of any Opportunity of speaking [See Page 9.] either to the Nurses or Patients in the Hospital, (where He believes there was a great many, who could give Evidence to the Fact of his being sent for) the Oaths of these two Women, who voluntarily offer'd themselves, shou'd be refused? And accordingly it was thus spoken of by several of the Committee, who thought it extremely hard, that every Thing which they imagined made against Mr. CLELAND, should be so circumstantially noted down by Mr. Purlewent, (one of the Governors, who, at the Desire of the Mayor, here acted as Attorney, in examining the Witnesses) and that this material Circumstance, which entirely wipes off the whole Odium of his examining these Informants, against their Desire, should be omitted.—But, notwithstanding so notorious a Partiality, *Elizabeth Dowdy*, and *Anne Hughes*, were dismiss'd from the Committee, without being admitted to give their Oath.—However, they afterwards came, of their

in, to invalidate what *Eliz. Dowdy* had said, and was ready to swear to; which the Committee readily granted.—Mr. Jay was accordingly called in, and asked, by Doctor Oliver, the Question Mr. Bertrand had proposed, which was, *Did you not hear Eliz. Dowdy say, That if Mr. CLELAND had examin'd her, she wou'd not have complain'd, and that they were very sorry Husbands for it?*—Mr. Jay declared, He never heard any Thing of it.—But, upon his being press'd again, by Mr. Bertrand, to answer, *Whether he had heard so?* He answered, *That if he had ever heard it, he believed it was spoken in a jesting Manner.*—He was then dismiss'd, as also the two Women, *Eliz. Dowdy*, and *Anne Hughes*, without being admitted as Evidences in Mr. CLELAND's Favour.

NAUBACK, &c. 15

own Accord, to Mr. CLELAND, and offer'd to swear before the New Mayor, Mr. Bishop, what they had been refused before: But he not being at home, and they obliged to leave the Town, upon Account of their being discharged the Hospital; the following Certificate was signed and attested by the said Elizabeth Dowdy, and Anne Hughes, in the Presence of Five Creditable Witnesses:

" THIS is to Certify, That Elizabeth Dowdy, and Anne Hughes, Two of the Patients in the Hospital, were called in before the Committee the Twenty-first of September, 1743, and were examined, as to the Affair of Mr. CLELAND'S being sent for by Mary Hook, and Mary Hudson, to examine them; and they were ready to give their Oaths to the Truth of This, but were refused by the Mayor.

" As Witnesses our Hands,

" The Mark of Eliz. Dowdy †.

" The Mark of Anne Hughes ‡.

" Signed and Attested by the said

" Eliz. Dowdy, and Anne Hughes,

" October 22, 1743.

" In the Presence of

" Wm. Hayward,

" Rich. Bennett,

" George Webb,

" Wm. Laurance,

" Benjamin Matthews."

Mr.

6 APPEAL to the

Mr. CLELAND then asked the Committee, *Who gave Orders to the Matron, that he should not be allowed to go into the Wards, to speak to the Nurses and Patients?*—And was answered by the Mayor, *That it was by his Orders;* and added, *that he thought it very improper he should go thither; and that he would justify what he had done.*

Mr. CLELAND further asked, *By which of the Governor's Orders, the Woman that came from Cheltenham was detain'd in the Hospital, and Orders left with the Porter, that no Person should speak to her, or see her, till after the Committee broke up?*—The Mayor said, *He knew nothing of it;* and asked the Rest of the Gentlemen, *if any of them knew of it?* but no Answer was made by any present.—The Mayor then asked the Woman, *If she had been confined?*—She replied, *The Door was open, and she might have gone out, if she would.*—But upon Mr. CLELAND's asking Mr. Morris, *What he knew about it?*—He said, *It was by His Orders she was detain'd;* and also, *that she should speak to Nobody;* and that the Gentlemen had given Him Orders accordingly;—Which surpriz'd Mr. CLELAND very much,—the whole Committee having just before declared, *They knew nothing of it.*

Mr. CLELAND then desired Leave of the Committee, to read his *Narrative* of the whole *Transaction*; and if they wanted any further Proofs, to convince Them of His Innocence, He had Witnesses ready to confirm what He should offer.—Then Mr. CLELAND read to Them, as follows:

“ON

ON the 7th Instant I receiv'd a Letter from the Register of the Hospital, acquainting Me, That the Committee had suspended Me from visiting the Hospital, until Wednesday the 21st, at Five o'Clock in the Evening: And that I was there to answer certain Informations, given against Me, upon Oath, before the Mayor; without acquainting Me further, as to the Particulars.—Early next Morning, I went to the Register, and demanded Copies of the Information which he refus'd Me, saying, It had been moved in the Committee, and denied; but that he was ordered to acquaint Me, it was for examining Two Women, Patients in the Hospital, not being desired by them.

IN what Manner, by what Means, and with what View this Affair came before the Committee, I am still at a Loss to know. And altho' I had lately, by the Directions of a Member of the Committee, Copies of the Two Informations, I am even yet surprized to have been so far condemn'd, before Examination, that a Judgment of Suspension accompanied a Summons to answer. But to satisfy every impartial Judge, I shall give an Account of my Motives and Reasons, from the Beginning.

I was concerned for a Patient of Doctor Rayner's, in this Hospital, who had applied to Me, long before she was admitted into this House: Her Case was of a complicated Nature; she having had the Venereal Disease, and being with Child at the same Time; and, by taking of Medicines, had miscarried before I saw her: All
which

" which I communicated to the Doctor, after
 " she was taken into this House. Her Name was
 " *Sarah Appleby*. She was treated, as the Doctor
 " thought proper, with Bathing, External and In-
 " ternal Medicines. Sometimes she was easy, and
 " pretty well; at other Times her Fits were so
 " violent, that they threw her into convulsive Mo-
 " tions; and whilst they continued upon her, the
 " Uterus was so violently agitated, as to be observed
 " Outwardly by the Nurses, and By-Standers, as
 " well as by Myself. And at one Time, upon ex-
 " amining her Uterus, during the Height of the
 " Fit, I occasioned the Expulsion of a Substance,
 " resembling a Piece of the Placenta, that had been
 " left behind. By this she was much relieved, and,
 " for some Time afterwards, was free from Fits.
 " What came away was shewn to the Doctor, and
 " known to all in the Ward. After this, Doctor
 " *Rayner* and I thought it proper, that an Injection
 " shou'd be thrown into the Uterus, upon her
 " coming out of the Bath, to procure a further Dis-
 " charge; as we had Reason to judge, there was
 " more to come away, seeing the Fits, and extra-
 " ordinary Motions returned again; which Injections
 " were used after the next Bathing. The Doctor
 " being present saw my Instruments, and approved
 " of them, as also my Method of doing it; and
 " soon after this Trial, several more Pieces of the
 " Placenta were brought away.

" THE Intimacy between *Appleby* and *Mary*
 " *Hook*, (one of the Women I examined) joined
 " to Doctor *Rayner's* having called me one Day
 " with the other Gentlemen then present, to exa-

mine.

mine and observe the Outside of her Belly, made
 the Reader to believe the Message that
 was brought me the Second of August last, by
 Sarah Appleby, viz. That, Mary Hook would be
 oblig'd to Me, if I would examine her. Upon
 which I replied, *If she desire'd it, I would.*
 I was then conducted, by Appleby, to the Place,
 where she was. I found her sitting upon the
 Window. She got up. I asked her, *If she de-*
sir'd Me to examine her? She said, *If I pleas'd.*
 I at the same Time told her, *If I observ'd*
any Thing amiss, I would acquaint the Doctor
of it; for which she thanked me. — I thereupon
 examin'd her Outwardly, in Order to discover
 if she was Dropsical, which I suspected from the
 extraordinary Size of her Belly; but could not dis-
 cover any certain Sign of that Distemper. I asked
 her, *If she had a Beaving down?* To which she
 replied, *She could not tell.* — I told her, *I hop'd*
I should be able to satisfy her of that presently;
 and desired her to sit down upon the Bed-Side,
 and lie Backwards. The other Woman, Appleby,
 holding the Curtain all the Time in her Hand;
 the Nurses and Patients in the Ward, as usual.
 I then examin'd her with great Ease, and no
 Pain to her, as she ow'd to me at that Time;
 I found the Os Tinea, and all the other Parts in
 their natural State. Upon which I told her, *I*
did not discover any Thing to give the Doctor
any unnecessary Trouble, unless any Thing new
should happen. From this Time, to the 14th,
 or thereabouts, she continued well. A Day or
 two after, seeing her Face very high-colour'd, I
 said to her, *Did not I tell you I* went

AN APPEAL to the

went to the Bed-side, and asked her, *How she*
felt? She told me, *She had a Fever, with great*
Heat and Drought, and that she believed she was
going to have a Return of her old Dissemper, viz.
the Dropsy; her Skin being covered all over with
 a dry Scurf, or Scales. She shewed me her Neck,
 Belly, Sides, and Arms, which were as she de-
 scribed; and I examin'd her no further then.
 The last Time I examin'd her was, I believe, on
 the 10th of August; being sent for that Day to
 Appleby, who was in great Pain, and received
 much Relief now, (as before) from the fore-
 mention'd Injection. It was done in the Nurses
 Room, or Bed-Place, the Nurse assisting me
 with what was necessary, during the Time of the
 Operation: (and not this *Mary Hook*, as Doctor
Oliver affirmed to me he had heard) When I
 had done this, and opened the Door, I saw this
Mary Hook, and called her to me, and enquired
 how she did. She told me, *She had that Rough-*
ness on her Skin, which she had shewed me before.
 I told her, I believed Bathing would cure her
 of that Complaint, if she had no other. She
 then told me further, *That she had a Stoppage*
in her Water, and it was with Pain, when
 she made any. I asked her, *If she had any*
Swelling, or Weight that bore down, or if ever
 she had been subject to the Gravel? She replied,
 She could not tell. I was then sitting cleaning
 my Instruments, which I had just used with
 Appleby, (she being then upon the Bed in Fits,
 and as I believe, the Nurse upon the Bed, hold-
 ing of her) I then bid *Hook* come nearer to me;

“ which

" which the did. Then taking some Oil upon my
 Hand, I examined her, with as much Exactness
 as I could, the standing all the while. But I could
 find no Reason for the Pain she complain'd of;
 neither did she at this, or any other Time, ever
 complain that I hurt her; neither did I observe
 the least Sign of Blood.
 " From the first Time I had examined Mary
 Hook, by the Doctor's Direction, I had conceived
 a Notion, that she was with Child. And my be-
 ing sent for, in the Manner related, gave me an
 Opportunity of being fully satisfied in that Point,
 for the following Reasons: It was as I suspected,
 by a timely Notice to the House, it would pre-
 vent Them from being importun'd upon, and the
 continuing that Course of Medicines and Bathing,
 must then infallibly have brought on a Miscar-
 riage, and in all Probability, a long Train of Ill-
 nesses, that might end in Death, as in the Case of
Ampley, who died the 27th; and it would also
 have brought a Reflection in general on the Hospital,
 and particularly on Those who attended her, for
 not having enquired into her Case more minutely.
 " As there is no Law, Rule, or Order of this
 House, that restrains Me, or any other Surgeon
 belonging to it, from examining the Patients in
 General; and Charity, and the Desire of Reliev-
 ing the Afflicted being My only Motives for in-
 terfering with these Women, I never suspected
 I should have given any Offence by it. I there-
 fore persuade Myself I shall not only stand ac-
 quitted from the Calumny brought on my Repu-
 tation, but have the Approbation of all People

22 *AN APPEAL to the*

of Candour. Nor could I ever have imagined this could be imputed as a Crime to Me, being a Liberty taken by another Surgeon in this Hospital. Mr. Pierce having some Time before stripp'd off a Dressing from the Foot of a Patient of Mine in his House; when telling him, *If he had any more such Dressings, he would never be well.*—Tho' by My continuing the Same, he was cured in Ten or Twelve Days afterwards.

THE Particulars of Mary Hudson's Case, who has likewise made an Information against Me, is best known to Doctor Oliver; and no more than what appeared to this House, came to my Knowledge, viz. That she had violent long Fits, much Strugglings, and made great Noise, which frightened several more in the Ward into Fits; and in particular, my Patient Appleby, who, at her own Request, carried me to her, about eight Days before. Doctor Oliver and Others, with Myself, having examined her, as to the fixed Pain in her Belly, I took Occasion one Day (when I was sent for to Appleby in Fits, this Woman, Hudson, being also in Fits in the opposite Bed, the Nurses and others holding of her) to call the Nurse, to lay her Hand upon that Place on her Belly, where she complain'd she had the fix'd Pain, and observe if she felt any irregular Motion under her Hand: Upon which she called to me, and said, *She did feel something move there, and roll about.* I went to her, and, before them all, laid my Hand upon the Part, and felt the same. It was situated a little above the Os Pubis, inclining towards the Right Hypo-

gastrum.

I then examined her Inwardly, to
 observe, if what I had felt before, was the Mo-
 tion of the Uterus: But I did not perceive it
 to move Inwardly. Whether it was, that the Fits
 were going off, or the Motion we perceived Out-
 wardly, was occasioned by Wind pent up in the
 Bowels, I cannot tell; neither could I discover
 any Motion in the Uterus, by two more Trials, I
 made Internally, in the Presence of the Nurses
 and Patients in the Ward. The first Time I ex-
 amin'd her, she could know nothing of it; and
 the other Times, to all Appearance, scarcely sen-
 sible, when it was done. My Intention by
 these Examinations, when she was in the Fits,
 was to discover, if the Uterus was the Seat and
 Cause of this, and her other Complaints, as it is
 in many Hysterick Cases.

I now submit it to every One's Consideration,
 Whether what I have thus done, in so Publick
 and Open a Manner, and in Presence of so many
 People, can be supposed to be contrary to the
 Desire, or against the Will of the Persons them-
 selves? For if it had, they would, at such Times,
 have express'd some Dislike, or shewn some Re-
 luctancy. And I am certain, that any unpreju-
 diced Person, who considers the true Nature and
 Causes of many of those Fits, will find, that they
 cannot arrive at a perfect Knowledge of them,
 without diligent Inquiry, accurate Observations,
 frequent Examinations, and close Attendance, in
 and out of the Fits; which may in Time direct
 to a rational Method of relieving them.

24 AN APPEAL to the

"I should be glad to know from the Gentlemen present, who deserves the Thanks of this House most; one who never refused to go out at all Hours in the Night or Day, to relieve the Distresses of his own, and Other's Patients, when call'd upon, (as the whole House can testify for me) or those who are call'd upon, and pray'd, for God's Sake, to relieve them? — but decline this Charitable Office, saying, *They are Patients to another Surgeon, and They may send for them.*"

This Narrative being finish'd, Mr. CLELAND asked the Committee, *If they were now satisfied, as to the Injustice of the Reflections thrown upon Him, by Mary Hook's Evidence, in what related to Sarah Appleby's Case?* — But this they dropp'd.

It may not be improper to acquaint the Reader, That when this Affair was first talk'd of in the Hospital, the chief Thing to be said to Mr. CLELAND's Charge, was the Death of Sarah Appleby, (as Doctor Oulver seem'd to insinuate,) and that of examining the other two Patients, was but a Prologue to this Design. And it happen'd well for Mr. CLELAND, that a Gentleman of Doctor Rayner's Character, was concern'd with him for this Appleby, who approved of his Method of treating her. For had this been known before to those, who first fram'd these Affidavits, they probably would not have introduced, into the latter Part of Mary Hook's Information, what she relates, and swears to, con-

Mr. Bush said, *If he was a Surgeon, he would never examine any Patient of the Hospital, if he did not see what he would) above the Shoe Strings, or below the Necklace.*

cerning

Mr. CLELAND's having done so, the
 Business; And that it may appear full the
 Doctor Oliver observed to several Gentlemen after-
 wards, That he did not understand what Mr. CLE-
 LAND meant by such frequent Injections and Exami-
 nations of Sarah Appleby's Uterus; for when she was
 open'd, the Uterus appear'd to him in a Virgin State.
 — To which, one of the Gentlemen there present
 replied, smiling, That to his Knowledge, she not long
 before had had a Bastard; and that her Miscar-
 riage was procured by taking Medicines improperly,
 Part of the Placenta remaining behind; which was
 communicated by Mr. CLELAND to Doctor Bayne,
 and afterwards confirm'd to him by Appleby's own
 Confession, who desir'd it might be kept a Secret.
 And this was believed to be the Cause of all her
 Complaints and Death.

UPON returning the History of Mary Hook's
 Character, Mr. CLELAND observed, that it was no-
 toriously bad, and that He believed, that when the
 Committee had heard it from Doctor Smart, and
 Mr. Trevanion, (who came on Purpose from Chel-
 tenham) they would lay but little Stress upon what
 she had sworn, or could say in this Case. The
 Mayor insisting that Mary Hook's Mother's Evi-
 dence should be taken; it was with much Difficulty
 that Doctor Stevenson could prevail with the Com-
 mittee to defer it, till after they had heard what
 Doctor Smart, and Mr. Trevanion had to say,
 touching this Affair.

DOCTOR Smart being called in, Mr. CLELAND
 was ordered to withdraw, as He generally was, when
 any Witnesses were examining in his Behalf.

Smart.

Smart then inform'd the Committee, as to the Character of *Mary Hook*; but, before he was allowed to proceed, he was asked many impertinent Questions by Doctor *Hartley*, Mr. *Purlewent*, and Others; such as, *What brought him over?—Whether Mr. CLELAND had sent for him?—What Letter he had received;—And from whom?—What the Contents of it were?—*Nor would they permit him to be sworn, as to the Character of *Mary Hook*, untill he had produced the Letter. This was strongly insisted upon by Doctor *Hartley*; but Doctor *Smart* declared, *The Letter was not from Mr. CLELAND; and that he was not at Liberty to tell from whom he had received it, without Leave first granted by the Person, who wrote to him. But if the Committee would allow him Five or Ten Minutes, he would go and endeavour to obtain it.*—Upon his withdrawing, several Speeches were made, reflecting very much upon these Gentlemen, as to the Design of their coming over, about this Affair, and intimating as if they had a bad Intention in bringing over *Mary Hook's* Mother from *Cheltenham*. This Discourse was put an End to, by Mr. *CLELAND's* coming in to the Committee; who proposed, that they should call in, and hear what Mr. *Trevanian* had to say, concerning this Woman's Character, untill Doctor *Smart* return'd. This Proposal was complied with. —But to continue the Thread of Doctor *Smart's* Evidence, it will be proper to go on in this Place, with the Account he gave. —Being return'd he inform'd them, that the Letter was from the Right Hon. the Countess of *Hyndford*, acquainting Him, *That there was some malicious Prosecution carrying*
on

on in the Hospital, by some Surgeons, or Others in that Place, against Mr. CLELAND, the Surgeon; and that one Mary Hook, Daughter to a Bricklayer, in Cheltenham, was concerned in it; who had sworn something scandalous against Him; desiring him farther to get Certificates of her Character, and transmit them to her. — Lady Hyndford's Letters in the APPENDIX.

DOCTOR Smart acquainted the Committee, That upon the Receipt of this Letter, he went to Mr. Trevanian, an Attorney of the same Place, (who was very well acquainted with the Character of Mary Hook, and her Mother) and communicated to him the Contents of this Letter; and also consulted with some other Friends there. It was agreed upon by them, that the Mother might be the most likely Person to sift * the Truth of the Matter out of her Daughter: They therefore desired, that she would go over to Bath; and, (as she was entirely destitute of Money) gave her Ten Shillings to bear her Charges. Then Doctor Smart deposed before the Committee, as follows; viz. " That Mary Hook, the Informant, " was believed by the People of Cheltenham, to be " a common Prostitute; and that he had heard her

* Doctor Smart (as was before observ'd) knew only in general, that there was a malicious Prosecution carrying on against Mr. CLELAND, (without being acquainted as to the Particulars;) which makes it the more extraordinary; that the Mayor should take the following Affidavit of Old Mary Hook, viz. That she was desired to go over to BATH, to hinder her Daughter from swearing a Ravishment against Mr. CLELAND; and that she should be handsomely rewarded for her Pains. — How highly improbable it is, that he should Influence her to do a Thing, which he could know nothing of himself.

“ her spoke of, as such, by Numbers : And that it
 “ was likewise by his Desire, that *Mary Hook's*
 “ Mother came over to get the Truth out of her
 “ Daughter, in Relation to the Affair of Mr. CLE-
 “ LAND : And that He, together with Mr. *Treva-*
 “ *nion*, thought it would be a kind Office in them,
 “ to make a Journey to *Bath*, and appear Person-
 “ ally to her Character : It being the *greatest Hard-*
 “ *ship*, that any HONEST MAN'S GOOD NAME
 “ should suffer by so *bad a Woman*. ” — What

Doctor *Smart* said, He gave his Oath of, and signed.
 Mr. *Trevanian* (when he appeared before the
 Committee) desired that his Oath might be taken
 in a judicial Manner ; and told them, “ That *Mary*
 “ *Hook* had been a common Strumpet some Years
 “ in *Cheltenham* ; and that she had sworn before
 “ the Justices there, a Rape against a young Gen-
 “ tleman of that Place, in order to extort Money
 “ from him ; and that he had made up the Differ-
 “ ence with Her, Her Father and Mother, for Five
 “ Shillings : And that he was sorry since he had
 “ made it up ; for that it appeared so plain against
 “ her, that she must have stood in the Pillory at
 “ least : He declared also to the Committee, that
 “ he was employed, by a Gentleman of that Place,
 “ to fill up her Certificate, when she came from
 “ *Cheltenham* to *Bath*, in order to be admitted into
 “ the *Hospital* ; and that he then told him, he was
 “ much imposed upon in this Woman's Case ; for
 “ that, which was call'd the *Leprosy*, was the *Pox*,
 “ or the Consequences of the *Pox* not rightly cured :
 “ and that he had often heard that the *Bath-Wa-*
 “ *ters* were not fit for any, in such Disorders. —

Not-

Notwithstanding, he fill'd up the Certificate, and she was sent over, and taken into the Hospital.

Mr. Trevanian then deposed before the Committee, "That the Girl bore, in the general, so bad a Character, that, in his Opinion, she was not to be credited;" And accordingly signed his Deposition.

AFTER he had signed it, there were several impertinent Questions likewise asked him, by Mr. Purlewent: Among the Rest; Sir, allowing what you say to be true; Do you believe she will forswear herself in this Case?—Which Mr. Trevanian answered, How can I tell that? But as she has done it already, it is highly probable she will do it again; and, in my Opinion, no Stress ought to be laid on any Thing she can say. He added, I shou'd imagine, Gentlemen, you have nothing more to do in this Case, than to enquire into the Intention Mr. CLELAND had in examining these Two Women; and whether He is to be credited, as to what He says, (together with those Women, produced as Evidences of his being sent for) or those Two INFAMOUS, ABANDONED WOMEN, who have no Sense of Shame left!—Then Mr. Trevanian withdrew.

OLD Mary Hook was then called in; the Substance of whose Affidavit, see in the Note to p. 27.

—The Rev. Mr. Walter Chapman was here of Opinion, That the Oath she was going to take shou'd not be admitted, it being so different from what Doctor Smart told her;—*Vide the same Note.*—

But this was insisted upon by the Mayor: And Doctor Hartley moreover said, That when Doctor Smart's Evidence was publish'd, Mary Hook's like-

wife should be publish'd against it ; and then it will be seen which will be most believed by the World.— And Mr. Grist, in a zealous Fit, snapping his Fingers, called to Mr. CLELAND, — Get over that if you can.

Mr. CLELAND hearing Mr. Purlewent asking Old Mary Hook Questions upon her Oath, directly opposite to what those two Gentlemen from Cheltenham had sworn, He desir'd the Committee would consider, That either the Gentlemen, or this Woman must have forsworn themselves.— Upon which Mr. CLELAND was, with some Warmth, by the Chairman, ordered out of the Committee-Room.*

WHEN Mary Hook's Mother was giving Evidence, and saying, That Doctor Smart told her, that her Charges to and from Bath should be paid, and that she should be handsomely considered ; Mr. Morris, the House-Apothecary, came round from the other Side of the Table, to the said Old Mary Hook, (as she stood betwixt the Mayor, and Mr. Purlewent) and said to her, Did you not tell me, that Doctor Smart assured you, that Mr. CLELAND

* Mr. Pierce (who declined voting upon this Occasion) upon his with-drawing from the Committee, came into the Surgery, where Doctor Smart, and Mr. Trevanian were, Mr. Trevanian then desired the Favour of him, to carry a Message from him, to the Committee, namely, That as he heard several of the Gentlemen had made so light of the Evidence given by Him, and Doctor Smart, if they would postpone the Determination of the Affair to another Day, he would engage to produce any Number of Certificates, (under a Hundred) to the Truth of what they had both said, with regard to Mary Hook's bad Character. Mr. Pierce went (as he said) according to Mr. Trevanian's Desire, and deliver'd the Message.

would

would handsomely reward you for coming over. But he was interrupted in what he was going to say further by Dr. Stevenson, who took him up for endeavouring to put Words into her Mouth, and insisted, that the Expression before used should be adhered to, viz. That Doctor Smart had told her, she should be handsomely considered; without specifying the Person.

When this was done, and Mr. CLELAND returned, He asked several Questions of Mary Hook, the Younger, such as, Did you ever complain I hurt you?—She answered, No.—Did you ever refuse to come, when I called you?—She answered, No.

—If you was so much Hurt (as you pretend) the second Time, How came you to let me treat you in the same Manner a third Time? And why did you not tell me of my former ill Usage of you, and refuse my examining you any more?—To these latter Questions she made no other Answer, than that she was afraid.—She was then asked, Who was present when she refused to come to Mr. CLELAND a fourth Time?—But she remembered nothing of it.

—The Committee, being willing to put an End to these Questions, (finding her Answers to them so directly contrary to what she had sworn in her Affidavit, (vide Hook's Affidavit) called upon the Nurse to be examined and sworn, as to what she knew concerning Mary Hook's coming into her Room, or Bed-Place, to be examined by Mr. CLELAND; And it appeared by the Nurse's Deposition, that the last Time Mary Hook was examined, was according to the Tenor of Mr. CLELAND's Narrative, viz. on the 19th of August; and soon after

Appleby's

Appleby's being dress'd; And this being the only Time *Mr. CLELAND* ever examined her in that Place, tho' she has sworn it was a Fortnight before, in Contradiction to what the Nurse (to the best of His Remembrance) deposed; and He Himself sets forth in his Narrative, viz. on the 10th of *August*, as above. And here it may not be improper to observe, that it was, with the utmost Difficulty, *Mr. CLELAND* could persuade *Mr. Parlewent* to write down, in the Nurse's Deposition, that when she left her Room, or Bed-Place, *Sarah Appleby* was then lying upon the Bed, out of her Pits, when *Mr. CLELAND* examined *Mary Hook* the last Time. [See *Mr. CLELAND's Nar. p. 21*] He, the said *Parlewent*, being extremely desirous, by this Omission, to have it thought he was in the Room with her, by Himself.

THEN the Committee desired to know of *Mary Hook*, What Evidence she had to produce of her being hurt, and bringing down of Blood? She called a Patient in the same Ward, (whose Name I do not remember) to whom she shewed her Shift, with some Marks of Blood upon it. But *Mr. CLELAND* declares He never saw, nor knew of any Thing of this Fact, tho' *Mary Hook* insisted upon it, with great Impudence, but did not remember the Time when it happened; neither did she know, upon her being ask'd by *Mr. CLELAND*, whether he examined her with one Finger or more, tho' she swears to Fingers in her Affidavit. The Nurse being asked by *Mr. CLELAND*, If she knew any Thing of *Mary Hook's*, and the other Girls flying away, and hiding themselves, when she came into the Ward?

What? she answered, That she had sworn to, and
 had heard any Thing about it. This she is like
 wife positively sworn to, in *Mary Hudson's* Information.
 Mr. CLELAND (being asked by *Mr. Mayor* what
 he had to say concerning *Mary Hudson's* Informa-
 tion) he desired it might be read, and the bare Read-
 ing, he believ'd, would be sufficient to confute it,
 and to prove that the Terms, in which it was
 couched, could not be mitigated from the Imputa-
 tion of Perjury: For if a Person swears to a Thing
 that is false in Fact, or positively to a Thing, tho'
 true in Fact, yet if such a Person cannot know any
 Thing of the Reality of that Fact, it will have the
 same Consequence. And in this Case, she swears
 positively that Mr. CLELAND did so; and immedi-
 ately adds, she was at the same Time, *INSENSIBLE*
 of what he did: Then gives Evidence of her own
 Falseness, by subjoining, she was told so, and be-
 lieves it. But it being objected to by several of the
 Committee, that she had not perjur'd herself, Mr.
 CLELAND insisted upon her Depositions being read;
 which was done accordingly. * However, they
 did not think proper to bring her down, nor ex-
 amine her farther into this Affair.

THEN Mr. CLELAND acquainted the Committee,
 That He had several Persons ready to be called in,
 to prove that *Mary Hudson* was a Cheat, an Im-
 postor, a great Liar, had miscarried by taking of

* And none present contradicted what Mr. CLELAND
 said, except Doctor Harrington, who indeed said, It might
 have been better worded, and that she, (*Mary Hudson*) had
 explained in the latter Part, what she had positively sworn to
 in the First.

Medicines,

Medicines, and that no Credit ought to be given to any Thing she could say. He likewise desired, that Mrs. Bly's Letter might be read, which was accordingly done, and is as followeth:

To Mr. CLELAND,

" Sir,

ACCORDING to your Request, I send you the following Account of *Mary Hudson*. On Friday the 29th Day of October, 1742, (by Order of Lady Cocks) I went to see her at *Anne Tucker's*, near *South-Gate*, where I found her in a violent Fever. She told me, that she had served *Mr. Maggs*, at the *Angel*, in *West-Gate-Street*, and on her falling Ill was discharged from her Service by *Mrs. Maggs*; who told me, that she had an Obstruction of her Menstrues, for three Months past; and that on her Recovery from the Fever, her Legs swell'd, and she still continuing to complain, that the Obstruction was not removed. My Master ordered her two or three Doses of the *Tinctura Sacra*, and " by his Order I bled her in the Foot; which not " proving effectual, on the 8th of *February* she " brought a Prescription from *Doctor Harrington*; " wherein she was ordered to take Pill: *Ruff.* one " Dram and a Half. *Arg. Viv.* one Dram *Bal. Peru.* " Q. S. to make them into Pills. About two Days " after she had the Pills one *Mrs. Weaver*, a Butchers " Wife, (who lodged in the same House came to " me, and with great Concern asked me, If *Mary* " *Hudson* had any Pills from my Master's Shop; " for

“ for she had very just Reason to believe that she had
 “ miscarried ; and by her frequent Fainting and
 “ Vomiting, she had long suspected her to be with
 “ Child.—As Mrs. Weaver is still living in the same
 “ House, she can give you a particular Relation
 “ of her Conduct in that House ; and Mrs. Maggs,
 “ (who, I believe, is a very just Woman) I suppose,
 “ will give you her Character for a considerable
 “ Time before. On the 8th of April, 1743, Doctor
 “ Hartley ordered her an Electuary with Conf.
 “ Cort. Aurant. prepar’d Steel and Ginger, &c.
 “ since which Time, I think, I never saw her, ’till
 “ a few Days before her Admittance into the Hos-
 “ pital; when she was brought (by a Servant of
 “ Lady Cocks’s) to my Master, for him to draw
 “ up her Case, to lay before the Gentlemen, who
 “ were the Directors of the Hospital: At which
 “ Time she had a Fit, which lasted about a Quar-
 “ ter of an Hour, and seem’d to be of the Hyste-
 “ rick Kind. On my attending her at First, I
 “ found she talk’d very foolishly ; which I conclud-
 “ ed was occasioned by her Head being afflicted
 “ by a Fever : But, on my Discourfing with her
 “ afterwards, I found it was owing to a natural
 “ Weakness of her Understanding.

“ I am, STR,

“ Your very humble Servant,

“ Wm. Busby.”

MONDAY,
 Sept. 19, 1743.

F

AFTER

AFTER this, Mr. CLELAND desired that the Witnesses, mentioned in Mr. Bayly's Letter, and Others, might be call'd in, and Mary Hudson brought before them: All which was over-ruled by the Committee, by the Mayor's saying, *There was no Reason to call Witnesses, since the Fact stood confessed by Mr. CLELAND*; neither was Mary Hudson permitted to come down to stand an Examination of what she had alledg'd in her Affidavit: So that Mr. CLELAND had no Opportunity of invalidating her Evidence, (if such a Thing could be necessary, after so gross a Contradiction of her swearing to a Fact, and being insensible at the same Time) by the many Witnesses He had ready to produce, to confirm what He had before said of her Character.

ALL the Use Mr. CLELAND proposes to make, by inserting the above-mentioned Particulars of Mary Hudson, is to convince the Reader, how very improbable it is, He should attempt to examine her against her Desire; as mentioned in the Deposition: Especially, when it is further considered, that two Patients of the *Hospital* were ready to swear the Contrary, if admitted; and that she herself, according to her own Account, was *insensible* when it was done.

UPON Doctor Harrington's enquiring of Mr. CLELAND into the Reasons of his examining those Women, the First, Second, and Third Time, He told Him, (as near as he can remember) *That as to Mary Hook, when He was sent for, He suspected she was with Child, and thereupon examined her in Bed.* But sometime afterward, on her telling Him, and com-

complaining, that she had a Stoppage in her Water &c. It occurred to Dimly in Consequence of his first Suspicion, that there might still be something remaining in the Uterus, that could not be so well discovered, whilst she lay in Bed; which made him examine her in an erect Posture, as any Weight or Swelling of the Uterus, or Pressure of any Part of it, on the Neck of the Bladder, shew themselves much more plainly in that Situation, than in lying down; as every One but moderately skilled in those Enquiries, must know.*

As to *Mary Hudson* when she sent for Mr. CLELAND, He found that all her Complaints, Pain, Emotions, &c. were so like *Appleby's*, that He had Reason to believe their Cases every Way alike; and consequently, that her Uterus was very probably in the same Condition with Her's †.

It was then suggested by some of the Committee, that the Examination of these Women was a Crime: Which Mr. CLELAND by no Means did allow of, but wished, (as it had given so much Offence) He had not done it, without acquainting the Physicians and Surgeons to whom they belong'd: But moreover observed, that he thought he should not act up to his Station in the *Hospital*, nor consult the Good of the CHARITY, if he *refused* to go upon all Calls, either to his own or other Gentlemen's Patients, *when desir'd*.

* The Second Examination was only observing the Scurf and Scales upon her Skin, Outwardly. *Vid. the Nar. p. 20.*

† *Vide the Nar. p. 23.*

38. An APPEAL to the

He was then ordered by the Chairman to withdraw. After which Doctor Oliver gave a succinct Account of the whole Affair, that had been before them; wherein he did not mention one Syllable of Mr. CLELAND's having an immodest Intention, in his several Examinations of these Women. When the Chairman had summ'd up all the Evidences, the Mayor proposed the First Question to be, *Whether Mr. CLELAND had been guilty of a CRIME, or not?*—To which Doctor Stevenson replied, *That he thought the Word, CRIME, was abundantly too harsh; and desired that a milder Expression might be used.*—The Word, MISBEHAVIOUR, was substituted in its Room; and accordingly it was thus put to the Vote: When it came to Doctor Stevenson's Turn to give his Vote, he explained himself, by saying, *That he no further understood it as a MISBEHAVIOUR, than as Mr. CLELAND had owned, and wished he had done otherwise, (meaning examining other Surgeons Patients, without acquainting them of it) tho' there was no Law or Rule in the House broke thro', in what HE had done.*—The Rev. Mr. Walter Chapman gave his Vote in Doctor Stevenson's Sense.—The Second and Main Question was then put, *Whether for such MISBEHAVIOUR, Mr. CLELAND should be DISMISSED, or REPRIMANDED?*—And it was carried, DISMISSED, 13 to 4.

THOSE that voted for Mr. CLELAND, were the Rev. Mr. Walter Chapman, the Rev. Doctor Bennet Stevenson, Mr. Samuel Bush, Apothecary, and Mr. Stagg.

Stagg. * As soon as this was past, Doctor *Oliver*, tho' he had given to just and impartial a Representation of the whole Affair just before, yet was the First that sign'd his Dismission; which was afterwards signed by the Mayor, and the Rest in Order.

Mr. *CLELAND* not being call'd in, or made acquainted with what this Party of Governors had done, went into the Committee-Room, and asked Mr. *Brett*, the Register, their Determination; who desir'd him to look into the Books, and there He would see it: Which he did; and finding they had signed so *unjustifiable a Sentence*, as a *Dismission*, and no Crime alledged or specified against Him, He flew into a Passion, and let fall an unguarded Expression: But upon a Reverend Governor's reprimanding Him for it, He immediately asked Pardon, and desired Mr. Register to let him have Copies of the whole Proceedings.

THUS closed this extraordinary Scene! A Scene, in which other Persons are, at the same Time, with Mr. *CLELAND*, glanced at; and marked out as a Prey to Detraction:—So keen and enormous is the Appetite of those Two dreadful Monsters, *Malice* and *Revenge*!—But this Step, it seems, was necessary to be taken, in order to prevent Mr. *CLELAND*'s Reputation from Rising, and his Character from gaining Ground.—It was believed, He had per-

* Doctor *Rayner* was sent for out, and was not return'd when this pass'd.

AN APPEAL to the

form'd some extraordinary Cures; and it was even said, He had prolong'd the Life of Mr. Brimden, a Gentleman who was much known, and had many Friends. — He had practis'd MIDWIFERY with Success. — He had spoken his Mind *Honestly* and *Freely*, in Relation to the particular Management of the BATH-WATERS; and had propos'd a Method of rendering them more useful and efficacious to the Sick and Lame, than they now are. Many of the Nobility, and several eminent Physicians and Surgeons had seen His Proposals and Machines, and approved of them. But such Proposals, in Defiance to Rules and Establishments, (practis'd and recommended by the present wise Men in Power, and perhaps by their Forefathers), were highly *treasonable*, and rejected *because He was a Stranger, and an Alien at BATH, and too likely (if these Schemes had taken Effect) to have Prosper'd and Fatten'd on Their Soil*: — So dangerous is it for a Man to attempt any *Improvements* in his Profession, where the Interests of Others are concern'd. — It is upon this Account, that He is now *compell'd* to APPEAL to the PUBLICK, Whether His Conduct and Actions, both in Regard to these Women He examin'd, and the Proposals He made, (which He can with TRUTH and SINCERITY say, were *Purely* and *Modestly* designed, for the *Improvement* of Knowledge, and the *Good* of Mankind) are to be approved of. — But, *Policy* required that a *Party* shou'd join in a Body, and endeavour to drive Him from their Territories. — He has accordingly undergone the *Pains* and *Penalties* which have

have been long preparing for Him!—He has been defamed, degraded, and disgrac'd! Yet He flatters Himself, that He still stands fair in the Opinion of the PUBLICK, (to whom He offers these Sheets) and from whom He looks and hopes for that JUSTICE, which has been denied Him elsewhere.



THE

have been long pressing for it. He has been
 determined, and has been so for some time.
 He has been in the opinion of
 the PUBLIC, (to whom the office has been
 and from whom He looks and hopes for that
 FAVOR, which has been denied him elsewhere.

THE

APPENDIX

(No. 1)

BATH CITY

The Information of Bath Book
 one of the Authors is the Ge-
 neral Hospital at the City
 taken the 7th Day of Sep-
 ber, 1743.

WHO has been the
 OF THE

BATH CITY
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THE
APPENDIX.

(N^o I.)

BATH CITY.

*The Information of Mary Hook,
one of the Patients in the Ge-
neral Hospital, at the said City,
taken the 7th Day of Septem-
ber, 1743.*

“ **W**HO being examined, upon her
“ Oath, saith, That Mr. ARCHI-
“ BALD CLELAND, one of the Surgeons
“ of the said *Hospital*, was often asking
“ this

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" this Informant her Disorder : And that
 " one Evening, as this Informant was with
 " one *Appleby*, deceas'd, the said *Appleby*
 " came with the said Mr. CLELAND to this
 " Informant's Bed-Side, and asked her,
 " How her Leprosy was, and if He could
 " see it. She answered, No, unless she
 " unlac'd herself. Mr. CLELAND answer-
 " ed, There was no Occasion ; but put his
 " Hands upon her Shoulders, and pushed
 " her down upon the Bed : He took up her
 " Coats, and examin'd her Belly, extended
 " her Legs, and put his Fingers into her
 " Body, but did not hurt her much that
 " Time. She further saith, He came a
 " Second Time, took her into the Nurse's
 " Room, bolted the Door, and used her in
 " the same Manner ; and then hurt her so
 " much, she was not well for a Fortnight,
 " and brought down Blood : And she saith,
 " the said Mr. CLELAND treated her a
 " Third Time, in the same Manner : And
 " she farther saith, He came a Fourth
 " Time, and called to this Informant, but
 " she refused to come to him. Upon that
 " the said Mr. CLELAND came to this In-
 " formant, and desired to let him know
 " her Case the next Time ; and that He
 " would examine her, and be of Service
 " to her : And she saith, the said Mr.
 " CLELAND hath been here several Times
 " since : And she saith, That she and the
 " other Girls always fly from Him : And
 " she

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“ she saith, The Night before *Appleby* died,
“ she, this Informant, watched with her;
“ and that the said *Appleby* took her by the
“ Hand, and beg’d her, for God’s Sake,
“ that He, meaning Mr. CLELAND, might
“ never touch her more; for that He would
“ bring her into the same Way; and said,
“ *Appleby* wished she had never been under
“ his Care; for that he had done her Busi-
“ ness. And she lastly saith, That it was
“ contrary to her Desire that Mr. CLELAND
“ used her in the Manner aforesaid; and
“ she saith, That Mr. *Wright* was then
“ Surgeon to this Informant.

“ The Mark of *Mary † Hook.*

“ Sworn at the City afore-

“ said, the Day and Year

“ above-written, before

“ Me,

Ralph Allen.

No 2.

BATH CITY.

The INFORMATION of Mary Hudson, one of the Patients in the General Hospital of the said City, taken on her Oath this 7th Day of September, 1743.

“ **W** H O being Examined upon her
 “ Oath, saith, That about three
 “ Weeks ago, (as this Informant best re-
 “ membreth) ARCHIBALD CLELAND,
 “ One of the Surgeons belonging to the said
 “ Hospital, came several Times to this In-
 “ formant, and asked her her Complaints :
 “ And that soon after being taken with Fits
 “ as usual, and He the said CLELAND be-
 “ ing then in the Room, (the Nurse stand-
 “ ing by) He immediately upon her inform-
 “ ing that she had a constant Pain between
 “ the

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“ the Belly and Stomach ; He, the said
“ CLELAND put his Hands into the Bed,
“ where this Informant lay, and put his
“ Finger up her Body ; at which Time she
“ was then, thro’ her Disorder, *insensible*,
“ what He did, but she was *inform’d* He
“ did use her in Manner aforesaid, by
“ Mr. *Wright* Surgeon : And she saith,
“ That she believeth it to be true ; and the
“ rather, because the said Mr. CLELAND,
“ Two several Times after, treated this In-
“ formant in the same Manner, which she
“ saith He did contrary to the Desire of this
“ Informant.

“ *Mary Hudson.*

“ *Sworn at the City afore-*
“ *said, the Day and Year*
“ *above-written, before*
“ *Me,*

Ralph Allen.

the Belly and Stomach; He the his
~~the belly and stomach; he the his~~

to get up her body; at which time the
was then, that her Discharge, which
the belly of the woman, which
to the belly in the morning, by
the belly, and the belly

Dr. Smart, at Chesham

the belly, and the belly
the belly, and the belly

With you on Wednesday, which were the
a Gentleman that promised it should be deli-
vered on Saturday. The import of my letter
was to get a Character of the Woman, whose
Name is well known, for the with another Woman
of the Hospital here, has been drawn in to swear
the most false and scandalous Things against
Glasgow, the surgeon, with a Design to ruin
him, both in his Good Name and Bread. I
I will confess on Wednesday next, I had
no Copy of what was sworn against him, and
was informed that the Officer in the Hospital
and the Women's Office, were without any
intention of the Accusation. The other Woman
He can prove to be very bad indeed. As was
low. I will let you know I would speak into the
Woman's Character, and the Character of the
Truth of it, as carefully, and with as much
as possible, and send it to you by the bearer, who
is to bring a more certain Account of the Matter.



Dr. Smart, at Cheltenham.

SIR, Bath, Saturday Night, 17 Sept.

I Writ to you on *Wednesday*, which went by
 a Gentleman that promis'd it should be deli-
 ver'd on *Saturday*: The Import of my Letter
 was to get a Character of the Woman, whose
 Name is inclos'd; for she, with another Woman
 of the *Hospital* here, has been drawn in to swear
 the most False and Scandalous Things against Mr.
 CLELAND, the Surgeon, with a Design to ruin
 Him, both in his Good Name, and Bread: His
 Tryal comes on, on *Wednesday* next: He had
 no Copies of what was sworn against Him; and
 was suspended from his Office in the *Hospital*,
 and the Womens Oaths taken, without any In-
 timation of the Accusation. The other Woman
 He can prove to be very bad indeed. As you
 love Truth, I beg you wou'd enquire into this
 Woman's Character, and get Certificates of the
 Truth of it, as carefully, and with as little Noise
 as possible, and send it to me by the Bearer, who
 is to bring some *Cheltenham* Water hither, (there
 being

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“ being a great Demand for them, and no good to
 “ be had :) This will save you the Trouble of send-
 “ an Express, as I desired in my Last : So write
 “ and send by the Bearer the most distinct Account
 “ you can get, about her, to help to clear this
 “ Honest Man ; for, in my Opinion, the *Spanish*
 “ Inquisition never form’d a more villainous and
 “ cruel Scheme of Malice, than what is carrying
 “ on against this innocent Man. If the Bearer is
 “ here on *Tuesday* Night, or early on *Wednesday*
 “ Morning, he will come in due Time ; so keep
 “ him ’till you have done your best, to be well
 “ inform’d in what is desir’d ; but so that he may
 “ be here at the Time I have mentioned. I am
 “ thus particular, in case the last miscarried.

“ *In Haste,*

“ *S I R,*

“ *Your most humble Servant,*

“ *Eliz. Hyndford.*”



TO

Mr. CLELAND, Surgeon.

" SIR,

Bath, Nov. 18,

" SOME Time ago you ask'd my Leave to,
 " publish my Letter to Doctor Smart, which,
 " I freely gave you; but upon considering the un-
 " wearied Malice of your Prosecutors, who spare,
 " no Pains, nor stick at any Methods, tho' ever so,
 " vile, to accomplish your Ruin; even daring to,
 " attack the unblemish'd Characters of Others;
 " Witness their bringing in an old Woman to their
 " pretended Court of Justice; instructed and pub-
 " lickly prompted, by one of your Judges, to swear,
 " that Doctor Smart had promised her a Reward in
 " your Name, if she wou'd prevail with her Daugh-
 " ter to deny what she had sworn against you, &c.,
 " and this, after Doctor Smart, and Mr. Trevanian,
 " had given Evidence as to the bad Characters,
 " both of Mother and Daughter, and had been,
 " baited, like Knights of the Post for so doing;
 " Doctor

" Doctor *Smart* had also declared, that I was the
 " only Person who had writ to him on this Subject.
 " Can these Proceedings bear any other Construc-
 " tion than this, viz. their Keeness to get rid
 " of the Weight of these two Gentlemen's Evi-
 " dences, which struck at the Root of the whole
 " Scheme, without considering that this extraor-
 " dinary Method, carried not only Perjury along
 " with it; but also an impudent Suggestion that I
 " was the Person who had directed this Piece of
 " Management to Doctor *Smart*. As no other but
 " myself had writ to him on the Subject; add to
 " this, that your Prosecutors give out, that these
 " two Gentlemen had perjur'd themselves; and
 " that Doctor *Smart* had counterfeited a Lady of
 " Quality's Hand, to conceal what Instructions he
 " got from *Bath*, about this Inquiry: And I am
 " certainly inform'd, there are very odd Dealings
 " going on just now at *Cheltenham*, to find out
 " some Dirt, and throw upon these Gentlemen's
 " Characters; tho' no two Men in the County
 " have better Characters to my certain Know-
 " ledge.

" All these Things consider'd, I think it proper
 " to give you Leave, under my Hand, to publish
 " my Letter, and also this, that there may be no
 " more Room to propagate their black Inventions
 " on this Article, (Black indeed, as the Heart that
 " contrived the Story of the Negro Wench) which
 " must make them the Detestation of all good
 " Hearts.—As Examining is the Word, I wish some
 " of them wou'd examine their own Characters;
 " they wou'd certainly find the Proverb touch them,

" about

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" about Houses made of Glass, and throwing of
" Stones.—But, Sir, it may be your Comfort,
" that, at your Tryal, the Honeft few were all on
" your Side; and had the Noble Lord that is their
" Prefident, been there, he wou'd certainly have
" protected your Innocence, as He did in *Pierce's*
" first Attempt against You; but that cou'd not
" be, for they wou'd never have dared to bring
" fuch Dirty Work into his Prefence.

I am,

S I R,

Your humble Servant,

Eliz. Hyndford.

F I N I S.

✍ Page 10 Line 14, for they, read she; p. 14,
l. 5, for was, read were.

The APPENDIX.

about Hough made of Glass, and this wine of
 Stomach.—But Sir, it may be your Complaint
 that, at your Trial, the Honorable were all on
 your Side; and had the Noble Lord that is their
 President, been there, he would certainly have
 protected your Innocence, as He did in a former
 Case Attempt against You; but that could not
 be, for they would never have dared to bring
 such Dirty Work into his Presence.

I am,

SIR,

Your humble Servant,

Rich. Hyndford.

F I W I S

Page 10 Line 14, for they, read he; p. 114
 1. 2. for was, read were.